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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,251	07/15/2005	Sang-Zee Lee	34381-1	2719

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EXAMINER

NGUYEN, THU V

ART UNIT PAPER NUMBER

3661

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/542,251

Applicant(s)

LEE, SANG-ZEE

Examiner

Thu Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6 and 8-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6 and 8-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

The amendment filed on August 15, 2006 has been entered. By this amendment, claims 3 and 7 have been canceled, claims 1-2, 4-6, 8-13 are now pending in the application.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. In claim 1, lines 6-7, the claimed "while the terminal is connected" lacks of antecedent basis. Although line 5 claim terminals, it is not clear if the terminal disclosed in lines 6-7 is one of the terminals that register location information disclosed in lines 3-5 of claim 1.
- b. Claim 1, lines 8-9 disclosed "other terminals" this limitation is also ambiguous. It is not clear if the "other terminals" are the terminals that perform registration of location information disclosed in lines 3-5 in the claim. The connection and the relation between the terminals that register location information in lines 3-5, with the terminal in lines 6-7 and the other terminals in lines 8-9 of claim 1 is ambiguous.
- c. In claim 1, lines 11-12, the claimed "the wired or wireless Internet terminal requesting the location information" is ambiguous and lacks of antecedent basis. The preceding

limitations in lines 1-9 have not disclosed any terminal that requests the location information.

- d. Similarly, claim 1, line 14, the claimed "the internet terminal" lacks of antecedent basis, it is not clear which terminal among the terminals disclosed in line 5 of the claim the limitation "the terminal" in line 14 refers to.
- e. In claim 2, line 3, the claimed "on the wired or wireless terminals" is similarly ambiguous as explained above.
- f. Other claims are rejected as being dependent on the rejected base claims.

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

- 4. Claims 1-13 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of copending Application No.

10/485,493 (addressed as '493 hereinafter). Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1-13 of the present application disclose similar method and system of registering and searching for user's location information of claims 1-10 of '493 in broader scope by eliminating some limitations such as confirmation of the registered user's location, etc.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 4-6, 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart (US 2002/0173981).

As per claim 1, Stewart discloses a location information sharing method, the method comprises: registering location information including a location coordinate and a location ID into a location information domain server by a wired or wireless internet terminal (para 0038, 0039, 0032, 0073); searching the registered location information corresponding to the location ID which is received by another terminal (para 0084, 0065); transmitting the searched location information from the location information server to the wired or wireless internet terminal that

requests the information (para 0083, 0085); automatically performing various application functions such as map view (para 0073, 0076). Stewart does not explicitly disclose linking the application software with the location coordinate included in the location information received. However, since Stewart teaches the capability of displaying a map with relative locations of businesses on the map (para 0073), and since including application software to display maps on a mobile terminal, and using the geographic location information of certain points of interest to be displayed the correct locations of the points of interest on the map by providing the application software the location of the points of interest would have been both known and obvious, Stewart obviously encompasses linking the application software of the terminal to the location information in order to provide map display with locations of the businesses the user is interested in.

As per claim 2, Stewart teaches transmitting the location ID to other internet terminal, connecting the terminal to the corresponding location information domain server (para 0084); and transmitting the searched location information to the internet terminal requesting the location information (para 0084, 0073, 0076). Stewart does not explicitly disclose selecting the received location ID. However, allowing the user to select certain link for further detail on the user interested site among the displayed available links would have been well known.

As per claim 4-6, Stewart discloses providing a map of the location corresponding to the searched location information (para 0047). Furthermore, indicating the location of the known location information on the map, performing navigation using the searched location as

destination, and transmitting searched error after a search conducted would have been both well known and obvious matter of design choice.

As per claim 11-12, forming user ID including location identification, location ID symbol and an address (similar to the email address) would have been well known. Further replacing the email address symbol with the other symbol such as #, !, etc. would have been obvious matter of design choice.

As per claim 13, Stewart teaches a computer, or a PDA terminal (para 0041).

1. Claims 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart (US 2002/0173981) in view of Shuster et al (US 6,687,746).

As per claim 8, Stewart teaches inputting location coordinate (para 0062, 0050); further, since the method taught by Stewart uses the identity of the AP (para 0083) to retrieve the location coordinate, the identity of the location coordinate would obviously have been stored with the identity of the terminal AP. Moreover inputting the ID to be stored with other information would have been well known. Furthermore, Shuster teaches storing the registered information in the domain server (col.7, lines 19-24). Further, since Shuster teaches storing the information when the domain name is available (col.7, lines 7-11), and since the availability of the domain name is available only when the same domain name has not been used or selected, Shuster obviously encompasses teaching registering the information when the location ID is not duplicated. It would have been obvious to a person of ordinary skill in the art at the time the

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invention was made to includes the checking steps for duplicated location ID as taught by Shuster to the location information sharing method taught by Stewart in order to prevent different user to select the same ID and to prevent the same user to created multiple location information.

As per claim 9, determining present location coordinate of a mobile terminal automatically using GPS would have been well known.

As per claim 10, Stewart teaches inputting the location coordinate by inputting in the information or by selecting location indicated on the map (para 0062).

As per claim 11-13, refer to claim 11-13 above.

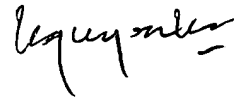
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (571) 272-6967. The examiner can normally be reached on T-F (7:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

October 6, 2006



THU V. NGUYEN
PRIMARY EXAMINER